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SUBJECT: TRAVEL BANS STRENGTHEN THE SYRIAN GOVERNMENT'S  
GRIP ON THE OPPOSITION

REF: DAMASCUS 0437

CLASSIFIED BY: CDA WILLIAM ROEBUCK, FOR REASONS 1.4 B/D.

11. (C) SUMMARY. ONE WAY THE SYRIAN REGIME STIFLES INTERNAL DISSENT IS TO BAN ANY INDIVIDUAL WHO MAY POSE A THREAT TO THE REGIME FROM TRAVELING ABROAD. THROUGH THE USE OF TRAVEL BANS THE REGIME AIMS TO INTIMIDATE MEMBERS OF THE OPPOSITION, CURTAIL THEIR INTERNATIONAL ACTIVITIES, AND CLOSELY MONITOR THEIR MOVEMENTS EVEN OUTSIDE SYRIAN BORDERS. SOME IN THE HUMAN RIGHTS FIELD HAVE FOUND WAYS AROUND THEIR TRAVEL BANS WHILE OTHERS HAVE DECIDED TO ABSTAIN FROM TRAVELING EITHER OUT OF FEAR OR IN ORDER TO PROTEST THE BAN, THE HARASSMENT AND POTENTIAL RISK NECESSARY TO CIRCUMVENT THEM. END SUMMARY

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EXTENT OF THE TRAVEL BAN  
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12. (C) THE BASHAR AL-ASAD REGIME HAS EMPLOYED EXTERNAL TRAVEL BANS REGULARLY SINCE THE CRACKDOWN ON THE "DAMASCUS SPRING" MOVEMENT IN AUTUMN 2001 THAT FOLLOWED THE DEATH OF HAFEZ AL-ASAD AND SUGGESTED A POSSIBLE POLITICAL OPENING. AN AUGUST 2005 AMNESTY INTERNATIONAL REPORT GAVE SOME PROMINENCE TO THE SYRIAN REGIME'S USE OF TRAVEL BANS ON HIGH-PROFILE DISSIDENTS.

13. (C) BEGINNING WITH THE REGIME'S CRACKDOWN ON THE DAMASCUS-BEIRUT DECLARATION SIGNATORIES IN MAY 2006, THERE HAS BEEN A MARKED INCREASE IN THE NUMBER OF WELL-KNOWN SYRIAN POLITICAL REFORMERS, CIVIL SOCIETY ACTIVISTS AND HUMAN RIGHTS ADVOCATES WHO HAVE BEEN BANNED FROM LEAVING THE COUNTRY. AT THIS POINT, THE RESTRICTIONS ON TRAVEL PLACED BY THE SYRIAN GOVERNMENT HAVE REACHED A POINT WHERE ALMOST EVERYONE INVOLVED IN POLITICAL REFORM, EVEN PERIPHERAL FIGURES, HAVE BEEN BANNED FROM TRAVELING. AT LAST COUNT, OVER 120 SYRIANS KNOWN TO US WHO ARE ACTIVE IN THE POLITICAL SPHERE HAVE BEEN BARRED FROM TRAVELING ABROAD. SOME EMBASSY CONTACTS ASSERT THE ACTUAL NUMBER IS MUCH LARGER, LIKE WOMEN'S RIGHTS ADVOCATE AND CIVIL SOCIETY ACTIVIST MA,AN ABDUL SALAAM WHO SAYS THAT THOSE BANNED FROM LEAVING THE COUNTRY NUMBER SOME 1500.

14. (C) THOSE BANNED FROM TRAVELING INCLUDE A RANGE OF THE OPPOSITION INCLUDING PROMINENT HUMAN RIGHTS LAWYERS SUCH AS HAITHEM AL-MALEH AND MUHANAD AL-HASSANI, WHO BOTH RUN OR HAVE RUN THEIR OWN HUMAN RIGHTS ORGANIZATIONS IN SYRIA, CIVIL SOCIETY ACTIVIST SUHEIR ATASSI, FORMER MP AND POLITICAL PRISONER RIAD SEIF, FORMER COMMUNIST PARTY LEADER RIAD AL-TURK (NOTE: TURK WAS ABLE TO TRAVEL TO EUROPE ONE YEAR

AGO, TO OBTAIN MEDICAL CARE. END NOTE.), WRITER AND FORMER POLITICAL PRISONER YASSIN HAJ SALEH, AND KURDISH POLITICAL LEADER FUAD ALIKO, WHO HEADS THE YEKITI PARTY. IN ADDITION, THERE ARE NUMEROUS ALLEGED ISLAMISTS BANNED FROM TRAVELING AS WELL AS THE ROUGHLY 300,000 STATELESS KURDS WHO CANNOT TRAVEL BECAUSE THE SARG WILL NOT ISSUE THEM PASSPORTS (CLAIMING ON LARGELY SPECIOUS GROUNDS THAT THEY ARE NOT SYRIAN CITIZENS).

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TRAVEL BAN MECHANICS  
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15. (C) THE LEGAL BASIS USED BY THE HAFEZ AL-ASAD REGIME TO BAN A SYRIAN CITIZEN FROM LEAVING THE COUNTRY STEMS FROM ARTICLE 38 OF THE SYRIAN PENAL CODE WHICH STIPULATES PUNISHMENT FOR THOSE ACCUSED OF "POLITICAL" CRIMES. ITEM 4 OF ARTICLE 38 NOTES THAT THE GUILTY SHALL BE STRIPPED OF THEIR CIVIL RIGHTS.

16. (C) UNLIKE HIS FATHER, BASHAR AL-ASAD AND HIS GOVERNMENT HAVE BEEN DECIDEDLY MORE AGGRESSIVE IN BANNING EXTERNAL TRAVEL RATHER THAN USING MORE DRACONIAN MEASURES LIKE LONG-TERM DETENTION AND TORTURE. NOW, MANY WHO HAVE NEVER BEEN CONVICTED OF ANY CRIME, OR EVEN CHARGED, HAVE BEEN PREVENTED FROM LEAVING THE COUNTRY. FOR INSTANCE, IN MAY 2007, THE DAMASCUS REPRESENTATIVE OF THE KURDISH FUTURE MOVEMENT, HERVIN OSSE, WAS PREVENTED FROM TRAVELING TO A CONFERENCE IN ISTANBUL. UPON ATTEMPTING TO CLEAR IMMIGRATION, OSSE WAS TOLD THAT THERE WAS A PROBLEM AND THAT SHE WOULD HAVE TO SPEAK WITH THE POLITICAL SECURITY DIRECTORATE OFFICE AT THE AIRPORT. POLITICAL SECURITY OFFICERS SUBSEQUENTLY CONFISCATED HER PASSPORT, GAVE HER A SLIP OF PAPER INFORMING HER SHE WAS BANNED FROM LEAVING THE COUNTRY DUE TO HER POLITICALLY DANGEROUS WORK ON HUMAN RIGHTS, AND TOLD TO REPORT TO A LOCAL BRANCH OF POLITICAL SECURITY AFTER A UNSPECIFIED AMOUNT OF TIME. SIMILARLY, IN MARCH 2007, NAYLA AL-ATRASH, A FILM DIRECTOR AND WIFE OF THE FAMOUS SYRIAN ACTOR KHALED TAJA, WAS PREVENTED FROM ACCOMPANYING HER HUSBAND TO JORDAN WHERE HE WAS TO RECEIVE MEDICAL TREATMENT. PRIOR TO THIS INCIDENT, ATRASH HAD NOT BEEN THE FOCUS OF ANY GOVERNMENT HARASSMENT.

17. (C) THE LACK OF TRANSPARENCY SURROUNDING TRAVEL BANS IS PERHAPS ONE OF THE MOST DISCONCERTING ASPECTS TO ITS VICTIMS. STATE SECURITY INFORMED ACTIVIST AND LAWYER DAAD MOUSA AT THE AIRPORT IN OCTOBER 2006 THAT SHE COULD NOT LEAVE THE COUNTRY. SHE HAD NO PREVIOUS KNOWLEDGE NOR RECEIVED ANY PRIOR INFORMATION FROM THE SARG THAT SHE WAS BANNED FROM TRAVELING. IN JANUARY 2007, SECURITY SERVICES PREVENTED AKRAM AL-BUNNI, ACTIVIST AND BROTHER OF IMPRISONED CIVIL SOCIETY ACTIVIST AND HUMAN RIGHTS LAWYER ANWAR AL-BUNNI, FROM TRAVELING TO BRUSSELS WHERE HE WAS TO TESTIFY ON SYRIA'S HUMAN RIGHTS RECORD AS PART OF AN EU PARLIAMENTARY HEARING ON SYRIA'S COMPLIANCE WITH CRITERIA FOR ITS PENDING EU ASSOCIATION AGREEMENT. BUNNI'S CASE IS A CLEAR EXAMPLE OF THE SECRECY (AND SOMETIMES CONFLICTING REACTIONS OF DIFFERENT SECURITY SERVICES) SURROUNDING TRAVEL BANS. BUNNI WAS TOLD BY THE MINISTRY OF IMMIGRATION THAT HE WAS NOT BANNED FROM TRAVELING ONLY DAYS BEFORE HE WAS PREVENTED FROM DOING SO AT THE AIRPORT BY THE SECURITY SERVICES.

18. (C) DESPITE THE DISCONCERTING EXPERIENCE OF BEING PREVENTED FROM LEAVING THE COUNTRY AT AN AIRPORT OR LAND BORDER, IN MANY CASES A TRAVEL BAN IS NOT NECESSARILY A COMPLETE BAN ON TRAVEL. RATHER, ANY INDIVIDUAL WHO IS BANNED FROM TRAVELING ABROAD MUST REQUEST A WAIVER FROM THE BRANCH OF SYRIAN SECURITY SERVICES THAT BANNED HIM/HER FROM TRAVELING. IN THEORY, TO MONITOR CLOSELY THE ACTIVITIES OF SYRIAN CITIZENS SEEKING TO TRAVEL ABROAD THE SECURITY SERVICES WILL ASK FOR A DETAILED ITINERARY OF THE PROPOSED TRIP INCLUDING DATES, PLACES, PHONE NUMBERS, ADDRESSES AND ANY PROPOSED MEETINGS OR CONFERENCES THAT WILL TAKE PLACE ABROAD.

19. (C) MANY DISSIDENTS WHO HAVE HAD THEIR TRAVEL BANS WAIVED FOR SPECIFIC TRIPS GAVE THE SECURITY SERVICES A COVER STORY FOR WHERE AND WHAT THEY WERE DOING ABROAD. FOR INSTANCE,

PRESIDENT OF THE NATIONAL ORGANIZATION FOR HUMAN RIGHTS, AMMAR QURABI TELLS US HE TOLD POLITICAL SECURITY IN APRIL 2007 THAT HE WOULD VISIT HIS WIFE'S UNCLE IN JORDAN WHEREAS IN REALITY HE TRAVELED TO VARIOUS EUROPEAN CAPITALS TO PARTICIPATE IN HUMAN RIGHTS CONFERENCES. RADWAN ZIADEH, DIRECTOR OF THE DAMASCUS CENTER FOR HUMAN RIGHTS STUDIES, HAS TRAVELED ABROAD REGULARLY DESPITE BEING BANNED FROM TRAVEL IN 2005. IN FACT, ZIADEH NO LONGER EVEN NEEDS TO APPEAR IN PERSON TO GET HIS WAIVER FROM THE SECURITY SERVICES: RATHER, A SIMPLE TELEPHONE CALL TO THE APPROPRIATE LOCAL BRANCH SUFFICES. IN MOST CASES, THE BANNED WOULD-BE TRAVELER'S STRATEGY IS TO TELL THE SECURITY SERVICES THAT THE TRAVEL IS TO AN ARAB COUNTRY LIKE JORDAN OR EGYPT FOR AN INNOCUOUS REASON SUCH AS VISITING RELATIVES. WHEN ASKED WHETHER HE FEARED THAT THE SECURITY SERVICES WOULD DISCOVER WHAT HE HAD DONE WHILE ABROAD, ZIADEH SAID HE COUNTED ON THE BUREAUCRATIC INEFFICIENCIES OF THE NUMEROUS, COMPETING BRANCHES OF THE SECURITY SERVICES TO KEEP THE REAL NATURE OF HIS TRAVEL CONCEALED. IT IS ALSO IMPORTANT TO NOTE, HOWEVER, THAT ANYONE WHO TRAVELS ABROAD IS SUBJECT TO SEVERE PUNISHMENT UPON THEIR RETURN IF THEY HAVE IN SOME WAY OPENLY AND PUBLICLY CROSSED THE REGIME, AS KAMAL LABWANI'S CASE HIGHLIGHTS (REFTEL).

110. (C) OTHERS IN THE OPPOSITION REFUSE TO SEEK PERMISSION FROM THE SECURITY SERVICES TO TRAVEL OUT OF PRINCIPLE. BOTH HAITHAM AL-MALEH AND MUHANAD AL-HASSANI HAVE REFUSED TO SEEK PERMISSION TO TRAVEL FROM THE SECURITY SERVICES. MALEH CONTENTS THAT ASKING PERMISSION IS TANTAMOUNT TO TACITLY ADMITTING THAT THE REGIME HAS A LEGAL AUTHORITY TO BAR PEOPLE FROM LEAVING THE COUNTRY. IN FACT, MALEH SUED THE GOVERNMENT TO TRY TO FORCE THE SARG TO LIFT THE TRAVEL BAN AGAINST HIM ON THE GROUNDS THE TRAVEL BAN IS UNCONSTITUTIONAL. CURRENTLY, THE CASE IS IN LIMBO AS THE GOVERNMENT HAS YET TO RESPOND TO MALEH'S CHARGES. MALEH CONCEDES THAT THE CASE DOES NOT STAND MUCH CHANCE OF CHANGING THE SARG'S TACTICS ON BANNING TRAVEL, AS THE REGIME CAN ESSENTIALLY DO WHATEVER IT WANTS UNDER THE STATE OF EMERGENCY DECLARED IN 1963.

111. (SBU) COMMENT: WHILE THE HAFEZ AL-ASAD REGIME PREFERRED

TO IMPRISON AND SOMETIMES EXECUTE ITS OPPONENTS TO STIFLE INTERNAL DISSENT AND EXTEND ITS CONTROL, THAT OF THE SON RELIES MORE EXTENSIVELY AND ARBITRARILY ON TRAVEL BANS AND OTHER SLIGHTLY LESS REPRESSIVE BUT STILL EFFECTIVE MEANS TO ACCOMPLISH THE SAME GOALS. ALTHOUGH THE TACTICS HAVE CHANGED, THE ULTIMATE GOAL OF BOTH REGIMES REMAINS THE SAME. THE SARG LOOKS TO ACHIEVE THREE MAIN OBJECTIVES BY PROHIBITING EXTERNAL TRAVEL. FIRST, THE REGIME AIMS TO INTIMIDATE AND HUMILIATE THE OPPOSITION BY REQUIRING A TRAVEL BAN WAIVER EVERY TIME AN INDIVIDUAL WANTS TO TRAVEL. THE INCREASED FREQUENCY WITH WHICH DISSIDENTS HAVE TO INTERACT WITH THE SECURITY SERVICES REINFORCES THE SIMPLE MESSAGE THAT THE REGIME IS IN FULL CONTROL. SECOND, THE REGIME LOOKS TO CURTAIL THE SYRIAN OPPOSITION'S CONTACTS WITH REFORM MOVEMENTS AND ACCESS TO THE MEDIA IN COUNTRIES IN THE WEST AND THE REGION, THEREBY PREVENTING A CROSS GERMINATION OF IDEAS, ANY BURGEONING SOLIDARITY, IN PARTICULAR WITH THOSE LINKED TO REFORMS. THIS POINT PRESENTS A PARTICULAR CHALLENGE TO USG OBJECTIVES IN SYRIA BECAUSE IT MAKES IT DIFFICULT FOR THE EMBASSY TO SEND THE SYRIANS WITH WHOM WE WOULD LIKE TO ESTABLISH RELATIONSHIPS TO THE U.S. ON INTERNATIONAL VISITORS PROGRAMS (IVPS) AND OTHER EXCHANGES. FINALLY, THE SARG ENDEAVORS TO MONITOR THE OPPOSITION WHEN ITS MEMBERS ARE ABROAD ALMOST AS CLOSELY AS WHEN THEY ARE IN SYRIA BY MAKING THEM SUBMIT FULL DETAILS OF THEIR TRAVEL PLANS IN EXCHANGE FOR A TRAVEL BAN WAIVER.

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